

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAWRENCE CARLTON SMITH,

No. C 13-3316 MEJ (pr)

Plaintiff,

**ORDER DIRECTING PLAINTIFF TO
PROVIDE INFORMATION
NECESSARY TO SERVE
DEFENDANT J. GARCIA**

v.

L. STEPP, et al.,

Defendants.

Plaintiff Lawrence Carlton Smith filed a pro se civil rights action under 42 U.S.C. § 1983. On August 6, 2013, the Court issued an Order of Partial Service, ordering service on several Defendants employed at Salinas Valley State Prison (SVSP), including Officer J. Garcia. The Court mailed a Notice of Lawsuit, a Request for Waiver of Service of Summons as well as the complaint on Defendants, including Officer J. Garcia. On August 19, 2013, the Litigation Coordinator at SVSP informed the Court that he needed more information to identify Officer J. Garcia because there are four individuals with that name at SVSP. See Docket no. 12.

Because Plaintiff is proceeding in forma pauperis (IFP), he is responsible for providing the Court with current addresses and information to identify all Defendants so that service can be accomplished. See Walker v. Sumner, 14 F.3d 1415, 1422 (9th Cir. 1994).

Pursuant to Fed. R. Civ. P. 4(m), if a complaint is not served within 120 days from the filing of the complaint, it may be dismissed without prejudice for failure of service. When

1 advised of a problem accomplishing service, a pro se litigant proceeding IFP must "attempt
2 to remedy any apparent defects of which [he] has knowledge." Rochon v. Dawson, 828 F.2d
3 1107, 1110 (5th Cir. 1987).

4 Accordingly, IT IS HEREBY ORDERED THAT, no later than thirty days from the
5 date of this Order, Plaintiff must provide the Court with a current address or more specific
6 information for Defendant J. Garcia so he may be identified by the SVSP Litigation
7 Coordinator. If Plaintiff fails to do so, all claims against Defendant J. Garcia will be
8 dismissed without prejudice. If Plaintiff does provide the requisite information, a second
9 attempt at serving J. Garcia will be made. If that attempt fails, all claims against Defendant
10 Garcia will be dismissed without prejudice.

11 The Clerk of the Court shall send this Order to the SVSP Litigation Coordinator as
12 well as to Plaintiff.

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14 IT IS SO ORDERED.

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16 DATED: August 22, 2013


17 Maria-Elena James
18 United States Magistrate Judge

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